

**UNITED STATES DISTRICT COURT
FOR THE USDC Northern Indiana
SOUTH BEND DIVISION**

Tracy L Hagen

Plaintiff,

v.

Case No.: 3:11-cv-00359-JTM -CAN
Senior Judge James T Moody

First Source Financial Solutions LLC, et al.

Defendant.

**NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE TO EXERCISE
JURISDICTION**

In accordance with the provisions of Title 28, U.S.C. §636(c), Fed.R.Civ.P. 73, and Local Rule 72.1(h) you are hereby notified that a United States Magistrate Judge of the district court is available to conduct any or all proceedings in this case including a jury or non-jury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

Because of the increase in criminal cases, your case may experience delay, resulting in possible cost increases, before it can be tried by a district judge. Trial before a magistrate judge, in addition to an earlier trial date, will also enable the Court to give counsel and parties a firm trial setting. Parties are encouraged to file a Consent to Jurisdiction by United States Magistrate Judge.

Because this case is proceeding with a pro se litigant, you may consent to a traditional proceeding before a magistrate judge or to an expedited trial process entitled Fast Track Litigation. If you consent to Fast Track Litigation, the court will hold a bench trial to hear your case within six months of consenting to a magistrate judge. However, in order to receive an expedited hearing, all parties must agree to: (1) waive the right to a jury trial; (2) limited discovery as determined by the requirements of the case and the court, typically one or two depositions and fifteen interrogatories; and (3) not file any motions for summary judgment. In return for consenting to Fast Track Litigation, your case will benefit by being easier to manage and will receive an expedited ruling. If you wish to consent to Fast Track Litigation, you must sign on both signature lines on the reverse side of this form. Failure to sign both signature lines will result in a consent to proceed before a magistrate judge under normal procedural guidelines.

An appeal from judgment entered by a magistrate judge shall be taken directly to the United States Court of Appeals for this judicial circuit in the same manner as an appeal from any other judgment of a district court.

You may, without adverse consequences, withhold your consent and such withholding will not be communicated to any magistrate judge or district judge to whom the case has been assigned.

(over)

CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

*Note: If you wish to consent to Fast Track Litigation, you must sign **both** consent sections. Failure to sign both signature lines will result in a consent to proceed before a magistrate judge under normal procedural guidelines.*

In accordance with the provisions of 28 U.S.C. §636(c), Fed.R.Civ.P. 73, and Local Rule 72.1(h), the parties in this case hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, entry of a final judgment, and all post-judgment proceedings.

Print and Sign

List all Parties Represented

Date

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE THROUGH FAST TRACK LITIGATION

In addition to the consent stated above, the parties agree to waive jury trial, and consent to have a United States Magistrate Judge conduct an expedited proceeding, *Fast Track Litigation*, with the understanding that such litigation will include a bench trial within six months of the filing date, limited discovery as determined by the case and the court, and no summary judgment filings.

Print and Sign

List all Parties Represented

Date

| | | |
|-------|-------|-------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT WITHIN 21 DAYS OF RECEIPT.